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IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 13426 of 2005

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1. Ganesh Prasad
2. Ramesh Prasad
3. Kapildeo Prasad
4. Chandeshwar Prasad
5. Badri Narain Prasad

All sons of late Brij Bihari Prasad. All residents of village Sonapatti, P.S. and District Sitamarhi.

.... Petitioners

Versus

1. The State of Bihar
2. Collector, Sitamarhi.
3. Deputy Collector Land Reforms, Sitamarhi (West)
4. Anchal Adhikari, Sonbarsa, District Sitamarhi.

……..Respondents 1st Party.

5. Radhakrishan Prasad, Son of Nand Keshwar Ram. Resident of Mohalla Sonapatti, Purani Bazar, P.S. Town and District Sitamarhi.
6. Nand Kishore Bhagat, Husband of Late Tara Devi.
7. Pradeep Kumar Bhagat
8. Krishna Kumar Bhagat, both sons of Late Tara Devi and Nand Kishore Bhagat, resident of G.C.B. Road, Mundi Chak, Bhagalpur.
9. Bina Devi, Daughter of Late Nand Kishore Bhagat, Wife of Ashok Kumar, resident of Motihari (in front of Roxy Cinema), P.S. Motihari, Distt. East Champaran.
10. Neelam Devi @ Guriya, Daughter of Late Nand Kishore Bhagat, Wife of Ram Babu Prasad, resident of Purana Bus Stand, Ujjain Tola, P.S. Town – Bettiah, District – West Champaran.

.... Respondents 2nd Party.

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Appearance :
For the Petitioner/s :

For the Respondent/s : Mr. (AAG-I)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 01-02-2013 Though present writ petition was filed long back in the year 2005, till date, no order has been passed for

issuance of notice to private respondents, whereas, writ petition was dismissed in the year 2007 due to non-prosecution, however; subsequently it was restored.

The present writ petition has been filed for quashing of an order dated 10-11-1997 passed by the Collector, Sitamarhi in Revision Case No. 91 of 1993 and 92 of 1993. During the pendency of the writ petition for such dispute, a forum has been created by enactment of Bihar Land Tribunal Act, 2009 (hereinafter referred to as 'Act') and now, the Land Tribunal is already functioning.

Keeping in view the dispute in the present writ petition, the Court is of the opinion that this matter can well be adjudicated by the Tribunal.

Accordingly, in view of provision contained in Section 15 of the Act, this Court directs the Registry to transfer the record of the case to the Tribunal forthwith.

(Rakesh Kumar, J.)

Anay